



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,211	07/29/2003	Paul Joseph Brady	P23661	5476

7055 7590 06/23/2006

GREENBLUM & BERNSTEIN, P.L.C.  
1950 ROLAND CLARKE PLACE  
RESTON, VA 20191

EXAMINER

STACE, BRENT S

ART UNIT PAPER NUMBER

2161

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/628,211

Applicant(s)

BRADY ET AL.

Examiner

Brent S. Stace

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3,9-11,15 and 17-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,9-11,15 and 17-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Remarks***

1. This communication is responsive to the amendment filed April 17<sup>th</sup>, 2006. Claims 1-3, 9-11, 15, and 17-27 are pending. In the amendment filed April 17<sup>th</sup>, 2006, Claims 1, 3, 10, 11, 15, 18, 25, 26 are amended, Claims 4-8, 12-14, and 16 are canceled, Claim 27 is new, and Claims 1, 10, 18, and 25 are independent Claims. The examiner acknowledges that no new matter was introduced and the claims are supported by the specification. This action is made FINAL.

### ***Response to Arguments***

2. Applicant's arguments filed April 17<sup>th</sup>, 2006 with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection or are not persuasive.

3. Upon the clarification and the addition of many limitations in the amended claims (in the arguments filed April 17<sup>th</sup>, 2006), the scope of all of the claims has significantly changed.

4. As to the applicant's arguments with respect to Claim 1 for the prior art(s) allegedly not disclosing "receiving a request for an identity of the caller's local service provider, the call having been suspended at a switch of an interexchange carrier" and "sending a notification to the sender comprising identifying information of the identified local service provider of the caller and whether an agreement exists between the

identified local service provider and the interexchange carrier” the examiner respectfully disagrees.

With respect to “receiving a request for an identity of the caller’s local service provider, the call having been suspended at a switch of an interexchange carrier,” Akinpelu teaches these limitations at Akinpelu, col. 2, lines 64-66 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 45-59 and Akinpelu, col. 4, lines 1-5 as cited below. Accordingly, upon a telephone call, the identity of the caller’s local service provider is and must be determined for billing purposes. Therefore, especially when considering the paragraph after Claim 1’s rejection, a request is sent to obtain the caller’s local service provider. The call being made must be at least temporarily suspended to obtain the correct billing information. Akinpelu happens to teach that the call is suspended at an interexchange carrier (IXC in the instant application) at Akinpelu, col. 4, lines 1-5 in saying that the call is routed to the interexchange carrier (then further information is obtained afterwards).

With respect to “sending a notification to the sender comprising identifying information of the identified local service provider of the caller and whether an agreement exists between the identified local service provider and the interexchange carrier,” Akinpelu teaches these limitations at Akinpelu, col. 6, lines 20-25 and Akinpelu, col. 4, lines 45-59 as cited below. Accordingly, a notification is sent to the sender when the identification of the originating carrier (especially when considering the paragraph after Claim 1’s rejection) and the terminating carrier are recorded in a billing record. As for the “agreement” limitation part, an agreement exists between the identified local

service provider and the interexchange carrier when there is a billing agreement. Since the toll call is connected through the identified local service providers and the interexchange carrier and a billing record is created, then an agreement/billing agreement exists.

5. As to the applicant's arguments with respect to Claims 10 and 25 for the prior art(s) allegedly not disclosing "monitoring integrated services digital network user part signaling traffic of a carrier for initial address messages and sending a request to an LNP database when the monitoring detects the telephone call, based on a telephone number of the caller, to determine which of a plurality of databases to query" the examiner respectfully disagrees.

With respect to "monitoring integrated services digital network user part signaling traffic of a carrier for initial address messages," Akinpelu teaches these limitations at Akinpelu, col. 3, lines 34-44 with Akinpelu, col. 4, lines 28-59 as cited below.

Accordingly, Akinpelu, col. 3, lines 34-44 teaches that messages are signaled, and Akinpelu, col. 4, lines 28-59 teaches that it looks for the preferred (initial) carrier for initial messages. The monitoring integrated services digital network user part must be done, since calls must be monitored to know what the elapsed time is for the call, when to terminate the call, and, especially, when a telephone call is placed (so the originating carrier to communicate with the interexchange carrier to determine and act on a toll call).

With respect to "sending a request to an LNP database when the monitoring detects the telephone call, based on a telephone number of the caller, to determine

which of a plurality of databases to query,” Akinpelu teaches these limitations at Akinpelu, Fig. 3 and Akinpelu, cols. 3-4, lines 53-5 as cited below. Accordingly, a test is done to determine if the placed call (at this point it has been detected) is a toll call or a local call. The dialed number is compared with number location portability to determine where the terminating carrier and switch is. When considering the paragraph after Claim 1’s rejection (incorporated in to Claims 10 and 25 from Claim 1’s rejection), this method also works for callers to determine the caller’s carrier/switch as is identified by using the ANI (based on a telephone number of the caller). When this is in consideration, then the appropriate local database must be queried to verify the caller with the appropriate carrier.

6. As to the applicant’s arguments with respect to Claim 18 for the prior art(s) allegedly not disclosing “a gateway comprising a plurality of platforms configured to dynamically load share requests” the examiner respectfully disagrees. Akinpelu teaches these limitations Akinpelu, col. 3, lines 23-34 as cited below. Accordingly, the national database is distributed and is shared among carriers. This makes a gateway with a plurality of platforms (carriers) that dynamically load share requests (distributed and is shared).

7. The other claims argued merely because of a dependency on a previously argued claim(s) in the arguments presented to the examiner, filed April 17<sup>th</sup>, 2006, are moot in view of the examiner’s interpretation of the claims and art and are still considered rejected based on their respective rejections from the first Office action (parts of recited again below).

***Response to Amendment***

***Specification***

8. In light of the applicant's respective arguments and/or respective amendments, some previous specification objections to the specification have been withdrawn.
9. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Drawings***

10. In light of the applicant's respective arguments and/or respective amendments, all previous drawing objections to the drawings have been withdrawn.

***Claim Rejections - 35 USC § 101***

11. In light of the applicant's respective arguments and/or respective amendments, all previous 35 USC § 101 rejections to the claims have been withdrawn.

***Claim Rejections - 35 USC § 102***

In light of the applicant's respective arguments and/or respective amendments, all previous 35 USC § 102 rejections to the claims have been withdrawn.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

14. Claims 1, 9, 18, 21, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.)

**Claim 1** can be mapped to Akinpelu as follows: "A method of identifying a local service provider of a caller in response to a telephone call from the caller to a called party, [Akinpelu, col. 2, lines 64-66 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 45-59] the method comprising:



- receiving a request from a sender for an identity of the caller's local service provider, [Akinpelu, col. 2, lines 64-66 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 45-59] the call having been suspended at a switch of an interexchange carrier; [Akinpelu, col. 4, lines 1-5]
- sending a request to an LNP database, based on a telephone number of the caller, [Akinpelu, cols. 3-4, col. 53-5] to determine which of a plurality of databases to query; [Akinpelu, col. 3, col. 53-63]
- receiving an identification of a database to query from the LNP database; [Akinpelu, col. 3, col. 53-63]
- determining a message type to send to the identified database to query; [Akinpelu, col. 4, lines 1-11 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33] and
- launching a query to the identified database; [Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33]
- sending a notification to the sender [Akinpelu, col. 6, lines 20-25 with Akinpelu, col. 4, lines 45-59] comprising identifying information of the identified local service provider of the caller [Akinpelu, col. 6, lines 20-25] and whether an agreement exists between the identified local service provider and the interexchange carrier" [Akinpelu, col. 4, lines 45-59].

Akinpelu does not expressly teach "receiving an identification of the caller's local service provider from the identified database in response to the query" since the originating caller's originating carrier is identified via a trunk identification or signaling

information [Akinpelu, col. 4, lines 47-51] however, it is obvious to one of ordinary skill in the art that a caller's local service provider (carrier) is identified in the same manner that the terminating party's local service provider (carrier) is determined since the ANI is transmitted to the interexchange carrier [Akinpelu, col. 4, lines 5-7] and since a telephone number is all that is required to determine the terminating (caller's) party's local service provider [Akinpelu, col. 4, lines 8-11]. Doing so would offer the obvious advantage of verifying the originating carrier through the national database(s). The citations that would support the mapping the limitation above to Akinpelu are "receiving an identification of the caller's local service provider from the identified database in response to the query" [Akinpelu, col. 4, lines 29-33 with Akinpelu, col. 4, lines 45-59 (with additional focus on Akinpelu, col. 4, lines 47-51) with Akinpelu, col. 4, lines 5-11].

**Claim 9** can be mapped to Akinpelu as follows: "The method according to claim 1, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

**Claim 18** can be mapped to Akinpelu as follows: "A system for identifying a local service provider of a caller associated with a telephone call from the caller to a called party, [Akinpelu, Figs. 1, 7 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 45-59] the system comprising:

- a gateway comprising a plurality of platforms configured to dynamically load share requests, [Akinpelu, col. 3, lines 23-34] the gateway configured to determine one of a plurality of message types in which to query one of a plurality of databases

[Akinpelu, col. 3, col. 53-55 with Akinpelu, col. 4, lines 1-11 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33] to launch a query to one of the plurality of databases” [Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

Akinpelu does not expressly teach “the gateway receiving a request requesting an identification of the local service provider of the caller” and “to receive an identification of the local service provider of the caller” since the originating caller’s originating carrier is identified via a trunk identification or signaling information [Akinpelu, col. 4, lines 47-51] however, it is obvious to one of ordinary skill in the art that a caller’s local service provider (carrier) is identified in the same manner that the terminating party’s local service provider (carrier) is determined since the ANI is transmitted to the interexchange carrier [Akinpelu, col. 4, lines 5-7] and since a telephone number (ANI) is all that is required to determine the terminating (caller’s) party’s local service provider [Akinpelu, col. 4, lines 8-11]. Doing so would offer the obvious advantage of verifying the originating carrier through the national database(s). The citations that would support the mapping the limitations above to Akinpelu are “the gateway receiving a request requesting an identification of the local service provider of the caller” and “to receive an identification of the local service provider of the caller” [Akinpelu, col. 4, lines 29-33 with Akinpelu, col. 4, lines 45-59 (with additional focus on Akinpelu, col. 4, lines 47-51) with Akinpelu, col. 4, lines 5-11].

**Claim 21** can be mapped to Akinpelu as follows: “The system according to claim 18, wherein the request is received prior to the telephone call being connected to the called

party” [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

**Claim 22** can be mapped to Akinpelu as follows: “The system according to claim 18, wherein the request is received during the pendency of the telephone call” [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

**Claim 24** can be mapped to Akinpelu as follows: “The system according to claim 18, wherein at least one of the plurality of databases comprises a line information database” [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

15. Claims 2, 10, 15, 17, 19, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,496,828 (Cochrane et al.).

For **Claim 2**, Akinpelu teaches: “The method according to claim 1.”

Akinpelu discloses the above limitation but does not expressly teach: “wherein the determining of message type is based upon a cost associated with each of a plurality of available message types.”

With respect to Claim 2, an analogous art, Cochrane, teaches: “wherein the determining of message type is based upon a cost associated with each of a plurality of available message types” [Cochrane, col. 8, lines 40-53 with Cochrane, col. 12, lines 17-29].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Cochrane with Akinpelu because both inventions are directed towards querying databases.

Cochrane's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose determining the message type is based upon a cost associated with each available message types. Cochrane discloses support for summary tables in a heterogeneous database environment comprising querying a database by selecting a least cost query for the database being queried.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the querying method(s) from Cochrane and install it into the method of Akinpelu, thereby offering the obvious advantage of determining the best query to perform to get the appropriate data to reduce query impact on the database.

**Claim 10** encompasses substantially the same scope of the invention as that of Claims 1 and 2, in addition to a method and some steps for performing the method steps of Claims 1 and 2. Therefore, Claim 10 is rejected for the same reasons as stated above with respect to Claims 1 and 2. Claim 10 has additional limitations also met by the arts as follows:

- monitoring integrated services digital network user part signaling traffic of a carrier for initial address messages; [Akinpelu, col. 3, lines 34-44 with Akinpelu, col. 4, lines 28-59]
- sending a request to an LNP database when the monitoring detects the telephone call, [Akinpelu, Fig. 3] based on a telephone number of the caller, [Akinpelu, cols. 3-4, lines. 53-5] to determine which of a plurality of databases to query; [Akinpelu, col. 3, lines 53-63]

**Claim 15** can be mapped to Akinpelu (as modified by Cochrane) as follows: "The method according to claim 10, wherein the launching is performed during the pendency of the telephone call" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

**Claim 17** can be mapped to Akinpelu (as modified by Cochrane) as follows: "The method according to claim 10, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

For **Claim 19**, Akinpelu teaches: "The system according to claim 18."

Akinpelu discloses the above limitation but does not expressly teach: "wherein the gateway determines the message type based upon a cost associated with each available message type."

With respect to Claim 19, an analogous art, Cochrane, teaches: "wherein the gateway determines the message type based upon a cost associated with each

available message type" [Cochrane, col. 8, lines 40-53 with Cochrane, col. 12, lines 17-29].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Cochrane with Akinpelu because both inventions are directed towards querying databases.

Cochrane's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose determining the message type is based upon a cost associated with each available message types. Cochrane discloses support for summary tables in a heterogeneous database environment comprising querying a database by selecting a least cost query for the database being queried.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the querying method(s) from Cochrane and install it into the method of Akinpelu, thereby offering the obvious advantage of determining the best query to perform to get the appropriate data to reduce query impact on the database.

**Claim 25** encompasses substantially the same scope of the invention as that of Claim 10, in addition to a computer readable medium and some code for performing the method steps of Claim 10. Therefore, Claim 25 is rejected for the same reasons as stated above with respect to Claim 10.

**Claim 26** can be mapped to Akinpelu (as modified by Cochrane) as follows: "The computer readable medium according to claim 25, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

16. Claims 3 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 5,987,452 (Kung).

For **Claim 3**, Akinpelu teaches: "The method according to claim 1."

Akinpelu discloses the above limitation but does not expressly teach: "wherein the determining of message type is based upon the message type supported by the identified database."

With respect to Claim 3, an analogous art, Kung, teaches: "wherein the determining of message type is based upon the message type supported by the identified database" [Kung, cols. 6-7, lines 35-3 with Akinpelu, col. 5, lines 60-65].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kung with Akinpelu because both inventions are directed towards querying databases used in telephone service.

Kung's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose that the determination of the message type is based upon the message type supported by each



of the databases. Kung discloses a query translation system comprising translating a query so that the query can be executed in a different database system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the query methods from Kung and install it into the method of Akinpelu, thereby offering the obvious advantage of gaining support for querying other databases from one location.

For **Claim 20**, Akinpelu teaches: "The system according to claim 18."

Akinpelu discloses the above limitation but does not expressly teach: "wherein the gateway determines the message type based upon a message type supported by each of the plurality of databases."

With respect to Claim 20, an analogous art, Kung, teaches: "wherein the gateway determines the message type based upon a message type supported by each of the plurality of databases" [Kung, cols. 6-7, lines 35-3 with Akinpelu, col. 5, lines 60-65].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kung with Akinpelu because both inventions are directed towards querying databases used in telephone service.

Kung's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose that the determination of the message type is based upon the message type supported by each

of the databases. Kung discloses a query translation system comprising translating a query so that the query can be executed in a different database system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the query methods from Kung and install it into the system of Akinpelu, thereby offering the obvious advantage of gaining support for querying other databases from one location.

17. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,496,828 (Cochrane et al.), further in view of U.S. Patent No. 5,987,452 (Kung).

For **Claim 11**, Akinpelu (as modified by Cochrane) teaches: "The method according to claim 10."

Akinpelu (as modified by Cochrane) discloses the above limitation but does not expressly teach: "wherein the determination is further based upon the message type supported by the identified database."

With respect to Claim 11, an analogous art, Kung, teaches: "wherein the determination is further based upon the message type supported by the identified database" [Kung, cols. 6-7, lines 35-3 with Akinpelu, col. 5, lines 60-65].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kung with Akinpelu (as modified by Cochrane) because both inventions are directed towards querying databases used in telephone service.

Kung's invention would have been expected to successfully work well with Akinpelu (as modified by Cochrane)'s invention because both inventions use databases. Akinpelu (as modified by Cochrane) discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu (as modified by Cochrane) does not expressly disclose that the determination of the message type is based upon the message type supported by each of the databases. Kung discloses a query translation system comprising translating a query so that the query can be executed in a different database system. It would have been obvious to one of ordinary skill in the art at the time of invention to take the query methods from Kung and install it into the method of Akinpelu (as modified by Cochrane), thereby offering the obvious advantage of gaining support for querying other databases from one location.

18. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 4,975,942 (Zebryk).

For **Claim 23**, Akinpelu teaches: "The system according to claim 18."

Akinpelu discloses the above limitation but does not expressly teach: "wherein the request is received after the telephone call has been disconnected."

With respect to Claim 23, an analogous art, Zebryk, teaches: "wherein the request is received after the telephone call has been disconnected" [Zebryk, col. 3, lines 15-39 with Akinpelu, col. 4, lines 45-59].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Zebryk with Akinpelu because both inventions are directed towards the use of telecommunication systems.

Zebryk's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use telecommunication systems with databases and customers. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose launching a query after the telephone call. Zebryk discloses a credit/calling card pay telephone method and system employing telephone unit local card-checking and other intelligence cooperative with local personal host computer comprising recording call information after the call has terminated.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the notification from Zebryk and install it into the method of Akinpelu, thereby offering the obvious advantage of accurately recording call records of Akinpelu.

19. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,570,973 (Boughman et al.).

For **Claim 27**, Akinpelu teaches: "The method according to claim 1."

Akinpelu discloses the above limitation but does not expressly teach: "wherein the interexchange carrier may use the notification to decide whether to connect the suspended call to the called party."

With respect to Claim 27, an analogous art, Boughman, teaches: "wherein the interexchange carrier may use the notification to decide whether to connect the suspended call to the called party" [Boughman, col. 3, lines 29-35 with Boughman, Fig. 2 with Boughman, col. 7, lines 10-14].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Boughman with Akinpelu because both inventions are directed towards the use of telecommunication systems.

Boughman's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use telecommunication systems with databases and customers. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose using the notification to decide whether to connect the suspended call to the called party. Boughman discloses a system and method for toll notification when placing a call comprising notifying the user of whether a toll call is being placed and the MSC (interexchange carrier) deciding from the indication notification from the IN database whether or not to connect the call (based on user interaction or that call status (toll or not toll)).

It would have been obvious to one of ordinary skill in the art at the time of invention to take the notification from Boughman and install it into the method of Akinpelu, thereby offering the obvious advantage of giving the customer an opportunity if they wish to complete the call or not based on the notification or automatically connecting the call if no toll charges will be inflicted (thereby avoiding user frustration).

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

**Conclusion**

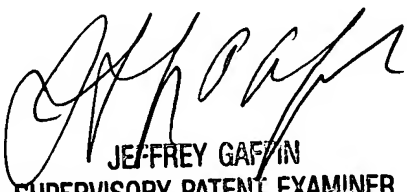
21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent S. Stace whose telephone number is 571-272-8372 and fax number is 571-273-8372. The examiner can normally be reached on M-F 9am-5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brent Stace

*es*

  
JEFFREY GAFFIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100